

REPLY EXHIBIT “K”

REPLY EXHIBIT “K”

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10/8/2020 2:06 PM
Steven D. Grierson
CLERK OF THE COURT



NEO
R. CHRISTOPHER READE, ESQ.
Nevada Bar No. 006791
CORY READE DOWS & SHAFER
1333 North Buffalo Drive, Suite 210
Las Vegas, Nevada 89128
Telephone: (702) 794-4411
Fax: (702) 794-4421
creade@crdslaw.com
Attorney for Plaintiffs

DISTRICT COURT
CLARK COUNTY, NEVADA

EUGENE TUMBARELLO, an Individual,
SHAMROCK PAINTING, INC.,

Plaintiff,

vs.

ELIZABETH RAMSEY, an Individual;
GREGG CHAMBERS, an Individual; DOES 1
through 100; and ROE BUSINESS ENTITIES I
through C, inclusive,

Defendants.

Case No. : A-17-763560-C
Dept. No.: XIX

ARBITRATION EXEMPT
(Equitable, Declaratory and
Extraordinary Relief; Title to Real
Property)

NOTICE OF ENTRY OF ORDER

NOTICE IS HEREBY provided that on the 8th day of October, 2020 that the above-
entitled Court did enter an Order in the above-entitled matter, a true and correct copy of which is
attached hereto.

DATED this 8th day of October, 2020.

CORY READE DOWS & SHAFER

By: /s/ R. Christopher Reade
R. CHRISTOPHER READE, ESQ.
Nevada Bar No. 006791
1333 North Buffalo Drive, Suite 210
Las Vegas, Nevada 89128
Telephone: (702) 794-4411
Attorney for Plaintiffs EUGENE TUMBARELLO
and SHAMROCK PROPERTIES

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of October, 2020, I transmitted a true and correct copy of the NOTICE OF ENTRY OF ORDER, to be served as follows:

■ **NEFCR System upon the following All Parties in accordance with NEFCR 9 and 13**

Steven Yarmy, Esq. 7464 W. Sahara Avenue Las Vegas, Nevada 89117 Fax: (702) 586-3690 sly@stevenyarmylaw.com Counsel for Judgment Debtor ELIZABETH RAMSEY	Gregg Chambers 3228 Robin Las Vegas, Nevada 89121 gchambers831@yahoo.com Judgment Creditor in Proper Person
--	---

☐ By fax or other electronic transmission in accordance with NRCP 5(D) upon the following Parties, for which proof of successful transmission is attached hereto.

☐ First-Class United States Mail upon the following parties or their Counsel who are not on the electronic service list:

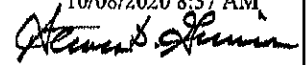
--	--

By direct email upon the following Parties, for whom I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

By fax or other electronic transmission in accordance with NRCP 5(D) upon the following Parties, for which proof of successful transmission is attached hereto.

/s/ Leta Metz
A Representative of Cory Reade Dows & Shafer

10/8/2020 8:37 AM

Electronically Filed
10/08/2020 8:37 AM
CLERK OF THE COURT**ORD**

R. CHRISTOPHER READE, ESQ.
Nevada Bar No. 006791
CORY READE DOWS & SHAFER
1333 North Buffalo Drive, Suite 210
Las Vegas, Nevada 89128
Telephone: (702) 794-4411
Fax: (702) 794-4421
CReade@premierlegalgroup.com
Attorney for Plaintiffs

DISTRICT COURT**CLARK COUNTY, NEVADA**

EUGENE TUMBARELLO, an Individual,
SHAMROCK PAINTING, INC.,

Plaintiff,

vs.

ELIZABETH RAMSEY, an Individual;
GREGG CHAMBERS, an Individual; DOES 1
through 100; and ROE BUSINESS ENTITIES I
through C, inclusive,

Defendants.

Case No. : A-17-763560-C

Dept. No.: XIX

ARBITRATION EXEMPT

(Equitable, Declaratory and

Extraordinary Relief; Title to Real
Property)

**ORDER DENYING JUDGMENT DEBTORS' CLAIMS OF EXEMPTION FROM
EXECUTION, GRANTING MOTION TO VOID HOMESTEAD ON 1201 WESTLUND
PROPERTY AND COMPELLING COMPLIANCE BY JUDGMENT DEBTOR
ELIZABETH RAMSEY**

Date of Hearing: September 22nd, 2020

Time of Hearing: 9:00 a.m.

Plaintiffs/Judgment Creditors EUGENE TUMBARELLO and SHAMROCK PAINTING
INC.'s OBJECTION TO JUDGMENT DEBTORS' CLAIMS OF EXEMPTION FROM
EXECUTION AND MOTION TO VOID HOMESTEAD ON 1201 WESTLUND PROPERTY
AND COMPELLING COMPLIANCE BY JUDGMENT DEBTOR ELIZABETH RAMSEY,
having come on for hearing on the 15th day of September, 2020 and being continued until the
22nd day of September, 2020. Plaintiffs EUGENE TUMBARELLO and SHAMROCK

1 PAINTING INC. being represented by their counsel R. Christopher Reade, Esq. of the law firm
2 of Cory Reade Dows & Shafer. Defendant ELIZABETH RAMSEY being represented by her
3 counsel Steven L. Yarmy, Esq. The Court having reviewed the papers and pleadings submitted
4 on behalf of an by the respective parties, having read the Objections, Motions and Oppositions.
5 The Court having heard argument of the parties and their counsel and for good cause appearing
6 therefor, the Court hereby enters the following Findings of Fact, Conclusions of Law and
7 Judgment.
8

9 **FINDINGS OF FACT**

10 **THE COURT HEREBY FINDS** the judgment debtor has the burden to prove that he or
11 she is entitled to the claimed exemption, NRS 21.112(6).

12 **THE COURT FURTHER FINDS** that this Court has ruled in 2019 that any homestead
13 asserted by Judgment Debtor ELIZABETH RAMSEY in and to the 1201 Westlund property does
14 not apply because an individual using fraudulently obtained funds to purchase real property
15 should not be protected by the homestead exemption because the exemption's purpose is to
16 provide protection to individuals who file the homestead exemption in good faith and that
17 Judgment Debtor ELIZABETH RAMSEY had failed to meet her burden to prove that Judgment
18 Debtor is entitled to the claimed exemptions in the 1201 Westlund property. Maki v. Chong, 119
19 Nev. 390, 394, 75 P.3d 376, 379 (2003).
20

21 **THE COURT FURTHER FINDS** that pursuant to NRS 21.105 that Judgment Debtor
22 RAMSEY is not entitled to any exemption to the proceeds of her bank account above \$400.00
23 and that RAMSEY's claim for exemptions to her bank account are without merit and should be
24 denied.
25

26 **THE COURT FURTHER FINDS** that pursuant to NRS 21.105 that the court may
27 require a judgment debtor to provide statements from the bank which include all deposits into
28

1 and withdrawals from the account for the immediately preceding 90 days prior to the date of the
2 claim for exemption.

3 **THE COURT FURTHER FINDS** that Judgment Debtor ELIZABETH RAMSEY
4 remains in contempt of this Court's previous Orders regarding responding to post-judgment
5 discovery and attending her Judgment Debtor Examination.

6 **ORDER**

7
8 **THEREFORE IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that by
9 Judgment Debtor ELIZABETH RAMSEY'S Claim of Exemption in and to the 1201 Westlund
10 property is DENIED.

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Judgment Debtor
12 ELIZABETH RAMSEY's homestead in the 1201 Westlund Property shall be and hereby is
13 declared VOID.

14 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that by Judgment
15 Debtor ELIZABETH RAMSEY's Claim of Exemption in and to her Bank of America bank
16 accounts shall be and hereby are DENIED.

17
18 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Judgment Debtor
19 Ramsey shall on or before provide this Court and Judgment Creditors with all of her bank
20 statements for 90 days preceding the Claim of Execution, which would be all bank statements on
21 or after May 8th, 2020 to date.

22

23

24

25

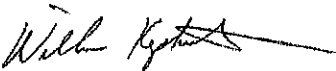
26

27

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Judgment Debtor
2 Defendant ELIZABETH RAMSEY shall personally appear before this Court on the _____
3 day of 11/3/2020 at 9 A.M., 2020 at 9:00 a.m. to demonstrate that Judgment Debtor
4 ELIZABETH RAMSEY has purged her previous contempt and has provided responses and
5 production of post-judgment discovery documents and has appeared for and participating in her
6 Judgment Debtor Examination.

7 DATED AND DONE this _____ day of September, 2020.

8
9 Dated this 8th day of October, 2020

10 

11 DISTRICT COURT JUDGE
12 D18 DF5 66B9 2F54
13 William D. Kephart
14 District Court Judge

15 Submitted by:
16 CORY READE DOWS & SHAFER

17 By: /s/ R. Christopher Reade
18 R. CHRISTOPHER READE, ESQ.
19 Nevada Bar No. 006791
20 1333 North Buffalo Drive, Suite 210
21 Las Vegas, Nevada 89128
22 Telephone: (702) 794-4411
23 Attorney for Plaintiffs/Judgment Creditors

24 Reviewed as to Form and Content:
25 STEVEN L. YARMY

26 By: Not Approved
27 STEVEN L. YARMY, ESQ.
28 Nevada Bar No. 008733
7464 W. Sahara Avenue
Las Vegas, Nevada 89117
(702) 586-3513
Counsel for Judgment Debtor ELIZABETH RAMSEY

Chris Reade

From: Chris Reade
Sent: Tuesday, September 29, 2020 12:04 PM
To: Steven Yarmy
Cc: Assistant; Laurie Alderman; luz@yarmylaw.com
Subject: RE: Tumbarello v. Ramsey Pleadings

Mr. Yarmy:

FINDINGS OF FACT

THE COURT FURTHER FINDS that pursuant to NRS 21.105 that Judgment Debtor RAMSEY is not entitled to any exemption to the proceeds of her bank account above \$400.00 and that RAMSEY's claim for exemptions to her bank account are without merit and should be denied.

THIS PROVISION WAS NEVER RULED ON NOR DISCUSSED AS IT SHOULD NOT HAVE BEEN. MY CLIENT IS ENTITLED TO ANY EXEMPTIONS ALLOWED UNDER NRS INCLUDING NRS. 21.090(z). AS SUCH; IT SHOULD BE STRICKEN

This was expressly ruled by the Court and is in the Minutes "COURT ORDERED, Debtor Defendant Ramsey's claim of exemption DENIED as to her Bank of America account as it is capped to \$400.00 per NRS 21.105"

THE COURT FURTHER FINDS that Judgment Debtor ELIZABETH RAMSEY remains in contempt of this Court's previous Orders regarding and still needs to respond to post-judgment discovery and attend a Judgment Debtor Examination. **THE COURT NEVER RULED MY CLIENT REMAINS IN CONTEMPT. THE COURT JUST RULED SHE MUST PROVIDE THE BANK STATEMENTS FOR 90 DAYS PROCEEDING AND COMPLY WITH THE DISCOVERY REQUEST. AS SUCH; THIS MUST BE STRICKEN.**

Ms. Ramsey is still in contempt (in fact ODYSSEY still shows a warrant out for her arrest as the Order Quashing Warrant was never entered). The answering RPDs and JDE is purging the contempt from that was discussed at the 4/21/20 Hearing from which no Order was ever prepared.

ORDER

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that by Judgment Debtor ELIZABETH RAMSEY's Claim of Exemption in and to her Bank of America bank accounts above \$400.00 shall be and hereby are DENIED. **THIS PROVISION WAS NEVER RULED ON NOR DISCUSSED AS IT SHOULD NOT HAVE BEEN. MY CLIENT IS ENTITLED TO ANY EXEMPTIONS ALLOWED UNDER NRS INCLUDING NRS. 21.090(z). AS SUCH; IT SHOULD BE STRICKEN**

This was expressly ruled by the Court and is in the Minutes "COURT ORDERED, Debtor Defendant Ramsey's claim of exemption DENIED as to her Bank of America account as it is capped to \$400.00 per NRS 21.105"

We will be submitting our proposed Order this afternoon and will provide a copy to your office. Ms. Ramsey is welcome to submit a competing Order.



CORY READE DOWS & SHAFER
ATTORNEYS AT LAW

R. Christopher Reade, Esq.
CORY READE DOWS & SHAFER
1333 North Buffalo Drive, Suite 210
Las Vegas, Nevada 89128
(702) 794-4411
Fax: (702) 794-4421

DEBT COLLECTION NOTICE: This communication is or may be an attempt to collect a debt, and any information used may be used for that purpose. However, if you are in bankruptcy or have been discharged in bankruptcy, this communication is for informational purposes only and is not intended as an attempt to collect a debt or as an act to collect, assess, or recover all or any portion of the debt from you personally.

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CIRCULAR 230 NOTICE: To comply with U.S. Treasury Department and IRS regulations, we are required to advise you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this transmittal, is not intended or written to be used, and cannot be used, by any person for the purpose of (i) avoiding penalties under the U.S. Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this e-mail or attachment.

From: Chris Reade <creade@crdslaw.com>
Sent: Tuesday, September 29, 2020 11:43 AM
To: Steven Yarmy <sly@stevenyarmylaw.com>
Cc: Assistant <assistant@crdslaw.com>; Laurie Alderman <lalderman@crdslaw.com>; luz@yarmylaw.com
Subject: RE: Tumbarello v. Ramsey Pleadings

Mr. Yarmy:

We have approved some of the changes and are providing a redline to you. If you approve, send back. If you do not approve, we can submit competing orders this afternoon.

In the meantime, the Post-Judgment Requests were sent to your office on September 8th, 2020. This Requests go back to October 2019. We need to come up with a date that the documents will be produced and then a date for the JDE 2 weeks after that.



CORY READE DOWS & SHAFER
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Las Vegas, Nevada 89128
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Fax: (702) 794-4421

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CIRCULAR 280 NOTICE: To comply with U.S. Treasury Department and IRS regulations, we are required to advise you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this transmittal, is not intended or written to be used, and cannot be used, by any person for the purpose of (i) avoiding penalties under the U.S. Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this e-mail or attachment.

From: Steven Yarmy <sly@stevenyarmylaw.com>
Sent: Tuesday, September 29, 2020 11:06 AM
To: Chris Reade <creade@crdslaw.com>
Cc: Assistant <assistant@crdslaw.com>; Laurie Alderman <ldalderman@crdslaw.com>; luz@yarmylaw.com
Subject: RE: Tumbarello v. Ramsey Pleadings

Dear Mr. Reade,

I have not heard back as to my suggested changes to the Order. Please advise.

From: Steven Yarmy <sly@stevenyarmylaw.com>
Sent: Friday, September 25, 2020 1:36 PM
To: 'Chris Reade' <creade@crdslaw.com>
Cc: 'Assistant' <assistant@crdslaw.com>; 'Laurie Alderman' <ldalderman@crdslaw.com>; 'luz@yarmylaw.com' <luz@yarmylaw.com>
Subject: RE: Tumbarello v. Ramsey Pleadings

I have redlined what I believe should be removed. I have red bolded additional wording I believe should be included.

I am leaving office early, so I will not be able to respond to day unless you send any response to sly8733@gmail.com.

Thank you and stay safe

From: Chris Reade <creade@crdslaw.com>
Sent: Friday, September 25, 2020 1:07 PM
To: Steven Yarmy <sly@stevenyarmylaw.com>

Cc: Assistant <assistant@crdslaw.com>; Laurie Alderman <laiderman@crdslaw.com>; luz@yarmylaw.com
Subject: RE: Tumbarello v. Ramsey Pleadings

Make any proposed modifications and we will consider them. With that said, Ms. Ramsey is still under the Order of Contempt from February which has never been purged.



CORY READE DOWS & SHAFER
ATTORNEYS AT LAW

R. Christopher Reade, Esq.
CORY READE DOWS & SHAFER
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Fax: (702) 794-4421

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From: Steven Yarmy <sly@stevenyarmylaw.com>
Sent: Friday, September 25, 2020 1:05 PM
To: Chris Reade <creade@crdslaw.com>
Cc: Assistant <assistant@crdslaw.com>; Laurie Alderman <laiderman@crdslaw.com>; luz@yarmylaw.com
Subject: RE: Tumbarello v. Ramsey Pleadings

Dear Mr. Reade,

I have reviewed the attached order you faxed me. I have a few concerns;

Judge never ruled client not entitled to exemption above \$400.00. This was never discussed. In any, event my client can claim the \$10,00.00 cathall under NRS, 21.090(z) Judge never said exemptions to bank account are without merit. This was a motion for homestead exemption.

Judge never said my client was remains in contempt. He just ordered her to give the bank statements and comply with your discovery request.

YOU NEED TO TAKE ALL THAT OUT AS I HAVE OUTLINES ABOVE.

Let me know.

From: Steven Yarmy <sly@stevenyarmylaw.com>
Sent: Tuesday, September 15, 2020 11:43 AM
To: 'Chris Reade' <creade@crdslaw.com>
Cc: 'Assistant' <assistant@crdslaw.com>; 'Laurie Alderman' <alderman@crdslaw.com>; 'luz@yarmylaw.com' <luz@yarmylaw.com>
Subject: RE: Tumbarello v. Ramsey Pleadings

Thank you

From: Chris Reade <creade@crdslaw.com>
Sent: Tuesday, September 15, 2020 11:19 AM
To: Steven Yarmy <sly@stevenyarmylaw.com>
Cc: Assistant <assistant@crdslaw.com>; Laurie Alderman <alderman@crdslaw.com>
Subject: RE: Tumbarello v. Ramsey Pleadings

Mr. Yarmy:

Attached hereto please find the Objection to Claim of Exemption that was filed in this matter and that has been continued to September 22nd at 9 am.



CORY READE DOWS & SHAFER
ATTORNEYS AT LAW

R. Christopher Reade, Esq.
CORY READE DOWS & SHAFER
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Las Vegas, Nevada 89128
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From: Steven Yarmy <sly@stevenyarmylaw.com>
Sent: Tuesday, September 15, 2020 10:58 AM
To: Chris Reade <creade@crdslaw.com>
Cc: Assistant <assistant@crdslaw.com>; luz@yarmylaw.com
Subject: RE: Tumbarello v. Ramsey Pleadings

Pleasure meeting you today Mr. Reade,

Just a reminder if you can send me copy of opposition to exemption and any relevant material.

Also, I will be speaking with client and then speak with you about any possible resolution.

Have a good day and stay safe

From: Steven Yarmy <sly@stevenyarmylaw.com>
Sent: Tuesday, September 8, 2020 1:03 PM
To: 'Chris Reade' <creade@crdslaw.com>
Cc: 'Assistant' <assistant@crdslaw.com>
Subject: RE: Tumbarello v. Ramsey Pleadings

Thank you Mr. Reade

From: Chris Reade <creade@crdslaw.com>
Sent: Tuesday, September 8, 2020 12:04 PM
To: Steven Yarmy <sly@stevenyarmylaw.com>
Cc: Assistant <assistant@crdslaw.com>
Subject: Tumbarello v. Ramsey Pleadings

Mr. Yarmy;

Pursuant to your telephone call this morning, please find the Motions that are being taken up next week regarding contempt. These are related to the same Contempt that was granted against Ms. Ramsey in February 2020 and which has not been purged to date.

You also asked for the Post-Judgment Discovery that was the basis for the contempt(s). Please find the Post-Judgment Discovery, the Orders for Judgment Debtor Exams and related pleadings.



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R. Christopher Reade, Esq.

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Las Vegas, Nevada 89128
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1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5	Eugene Tumbarello, Plaintiff(s)	CASE NO: A-17-763560-C
6	vs.	DEPT. NO. Department 19
7	Elizabeth Ramsey, Defendant(s)	

8

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/8/2020

15 Benjamin Childs	ben@benchilds.com
16 Jay Shafer	jshafer@premierlegalgroup.com
17 Laurie Alderman	lalderman@crdslaw.com
18 Leta Metz	assistant@crdslaw.com
19 R. Reade	creade@crdslaw.com
20 Brittany Wood	bwood@mauricewood.com
21 Gregg Chambers	gchambers831@yahoo.com
22 Steven Yarmy	sly@stevenyarmylaw.com

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